



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Re:** Patent Application for Dornelas  
**Serial** 09/578,194  
**No.:**  
**Filed:** 05/24/00  
**For:** Modulation of Storage Organs  
**Date:** Aug 21, 2003  
**Art Unit:** 1635  
**Examiner**  
**Action:** 2<sup>nd</sup> part of Office action Response

**To:** The Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Please amend the specification as indicated in attached.**

**Please amend the claims as indicated in the attached claims.**

**Remarks**

The Examiner's claim objections have been amended in accordance with the suggested method for correction. Also note that the specification has been amended to correct the misspelling after the initial correct spelling in the first instance of "dzeta". The amendments are attached hereto.

The Examiner indicated in paragraph 5 that the incorporation by reference of the material in the journal was not appropriate and this matter was to be inserted by amendment. Presently, the specification has been amended, as has the sequence listing, to include the sequence listing mRNA that was provided in the Genbank under the Accession X94938 as listed in the journal (incorporated by reference into the patent) that referenced dzeta sequence information. Additionally, the amino acid of this sequence was also referenced as were a number of the other "species" that are not presently elected. The applicant will incorporate the other material relating to the other species and the amino acids to the extent that Examiner allows a generic claim in the case and all species are placed back into the case. The Applicant has enclosed in the information disclosure some additional information concerning this Accession X94938. Also attached to this 2<sup>nd</sup> part of the office action response is the publicly available Genbank data that has been available since prior to the filing of this application.

Applicant's Attorney's Declaration.